

# EXHIBIT 3

**Steven R. Pounian**

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**From:** Steven R. Pounian  
**Sent:** Wednesday, June 5, 2019 9:23 PM  
**To:** 'Kellogg, Michael K.'; Shen, Andrew C.; Carter, Sean  
**Cc:** Andrew J. Maloney; zRobert Haefele; Goldman, Jerry; Rapawy, Gregory G.; Megan Benett; John Fawcett  
**Subject:** RE: In re Terrorist Attack (Shen) Documents

Michael,

In light of your inquiry, we contacted Michael Watts, counsel for the King Fahad Mosque, to inquire if he would commit to producing the witnesses on a date certain in the US. He said he could check again with the witnesses, but was unaware of any current plans for them to return to the US. Given those circumstances, Plaintiffs cannot agree to any postponement. Delay will severely prejudice the Plaintiffs and could deny our right to the testimony of the two witnesses.

Regarding the documents, until two days ago, we believed that the Mosque had produced all of them directly to you.

As we have repeatedly stated, we have no objection to producing the documents to the Kingdom. Given the Mosque's position, a Court order would be necessary for us to release the documents to you. We don't know if the Mosque would oppose such an order.

In any event, we do not plan to use any of the documents that were produced to us by the Mosque (which the Mosque marked as KFM 123 and above) at the upcoming depositions.

Obviously we have no idea what is included in the Arabic language documents that are about to be produced to us today (we have not received them yet). We will review those immediately upon production and determine whether any of them are relevant to the depositions.

Regards,

Steve

**Steven R. Pounian**  
Of Counsel



Kreindler & Kreindler LLP  
750 Third Avenue  
New York, NY 10017-2703

T: 212.973.3477 · E-mail: [spounian@kreindler.com](mailto:spounian@kreindler.com)  
F: 212.972.9432 · Web: [www.kreindler.com](http://www.kreindler.com)

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**From:** Kellogg, Michael K. [mailto:mkellogg@kelloggghansen.com]  
**Sent:** Wednesday, June 05, 2019 3:27 PM  
**To:** Shen, Andrew C. <ashen@kelloggghansen.com>; Carter, Sean <SCarter1@cozen.com>  
**Cc:** Steven R. Pounian <Spounian@kreindler.com>; Andrew J. Maloney <AMaloney@kreindler.com>; zRobert Haefele <rhaefele@motleyrice.com>; Goldman, Jerry <jgoldman@andersonkill.com>; Rapawy, Gregory G.

<grapawy@kelloggghansen.com>

**Subject:** RE: In re Terrorist Attack (Shen) Documents

Sean:

Given that, perhaps you will agree to postpone the depositions until the Court resolves the issue. That way, we wouldn't have to make it an emergency motion.

Michael

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**From:** Shen, Andrew C.

**Sent:** Wednesday, June 5, 2019 3:25 PM

**To:** Carter, Sean <SCarter1@cozen.com>

**Cc:** Spounian@kreindler.com; Maloney, III, Andrew <amaloney@kreindler.com>; rhaefele@motleyrice.com; Goldman, Jerry <jgoldman@andersonkill.com>; Kellogg, Michael K. <mkellogg@kelloggghansen.com>; Rapawy, Gregory G. <grapawy@kelloggghansen.com>

**Subject:** Re: In re Terrorist Attack (Shen) Documents

Sean -

He told me that 42 documents will be produced to Plaintiffs.

Thanks,

Andy

On Jun 5, 2019, at 2:24 PM, Carter, Sean <SCarter1@cozen.com> wrote:

Andy – Did counsel for the KFM indicate the volume of the Arabic language documents that are reportedly being produced today? Thanks, Sean



**Sean P. Carter**

**Member | Cozen O'Connor**

One Liberty Place, 1650 Market Street Suite 2800 | Philadelphia, PA 19103

P: 215-665-2105 F: 215-701-2105

Email | Bio | LinkedIn | Map | cozen.com

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**From:** Shen, Andrew C. <ashen@kelloggghansen.com>

**Sent:** Wednesday, June 5, 2019 3:10 PM

**To:** Spounian@kreindler.com; WTC[amaloney@kreindler.com] <amaloney@kreindler.com>; rhaefele@motleyrice.com; Carter, Sean <SCarter1@cozen.com>; WTC[jgoldman@andersonkill.com] <jgoldman@andersonkill.com>; Kellogg, Michael K. <mkellogg@kelloggghansen.com>; Rapawy, Gregory G. <grapawy@kelloggghansen.com>

**Subject:** Fwd: In re Terrorist Attack (Shen) Documents

**\*\*EXTERNAL SENDER\*\***

Steve:

As you will see below, the mosque will not authorize Plaintiffs to provide the additional productions to Saudi Arabia. In addition, Mr. Watts has informed us that the mosque will make an additional Arabic language production to Plaintiffs today. As a result, we will file a motion tomorrow morning for all of these documents and request that the two mosque depositions be postponed until 14 days after we receive these productions so that we can translate and review these documents. Based on our previous meet-and-confer discussions, it is our understanding that Plaintiffs will oppose these requests. If you wish to discuss this matter further, please contact us by the end of the day.

Thanks,

Andy

Begin forwarded message:

**From:** Michael Watts <mrw@MANNINGLLP.COM>  
**Date:** June 5, 2019 at 8:43:34 AM EDT  
**To:** "'Shen, Andrew C.'" <ashen@kellogghansen.com>  
**Cc:** Eugene Ramirez <epr@manningllp.com>, Trisha Newman <ten@MANNINGLLP.COM>, Christina Medina <cvm@manningllp.com>, Sylvia Hernandez <sxh@manningllp.com>, Irma Castellanos <ITC@manningllp.com>  
**Subject:** In re Terrorist Attack (Shen) Documents

Mr. Shen,

I spoke with my client last evening and unfortunately he is not willing to approve the release of any documents from either us or from plaintiff's counsel to you. I understand you may need to file an ex parte with the court. I apologize for any inconvenience.

Please contact my cell at 931-494-3251 if I can be of any further assistance.

Thank you.

Mike Watts

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